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Millbury, Mass.

The Millbury · Sutton CHRONICLE

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Hearing leads to injunction against Condo developers

By Edward J. Cooney

BOSTON - A preliminary hearing requested by the State's Environmental Strike Force seeking an injunction to require the developers of the Paul Revere Condominiums off Grafton Street in Millbury, Forrow Builders, Inc., to pump the 27 septic systems at the complex eight times a month was held before Judge Robert Graham in Suffolk Superior Court in Boston on July 21. The State has filed suit against the developer for sewage disposal violations. The preliminary hearing resulted in Graham issuing a temporary injunction and also freezing the assets of the developer. No trial date has been set for the suit.

Arguing for the injunction were Assistant Attorneys General for the Commonwealth Madelyn Morris and Cynthia Berliner. Investigators for the Strike Force, which was a joint venture with the Attorney General's Office and the Department of Environmental Protection, were Robert Kimball and Leo Lessard of DEP's Central Region Office and Joseph Durand, Boston DEP Office, along with Karen Ortolini, Michael Mozzer and Nancy Ward of the Attorney General's Office.

Forrow Builders, Inc. and its President, William Forrest, and Vice President, J. Philip Rawinski both of Sutton, were represented by Attorney John Mirick of the Worcester law firm of Mirick, O'Connell, DeMallie and Lougee.

The lead attorney for the Commonwealth, Madelyn Morris, pleaded before the Court that the injunction be approved to abate the "public health threat" and other problems related to the septic system at the condos.

Morris emphasized that the Commonwealth's allegations were based upon what the Commonwealth sees as "illegal activities carried out by the developers doing business as Forrow Builders Inc." She said the septic systems were installed under their supervision without the required groundwater discharge permits in direct violation of the Clean Waters Act. There were also other allegations of violations of the state environmental code "which caused conditions that contributed to a serious public health threat to the residents and the surrounding environment as raw sewerage has broken out and run down the streets in the complex," she said. The injunction, according to Morris, will serve to temporarily abate the serious public health threat.

Morris argued that Forrow Builders failed to follow the minimum standards under State Code, Article 5. "The failure to acquire the necessary water discharge permit from the DEP has been admitted to by the developers in an answer received from their attorneys just received by us one hour before this hearing," Morris said.

Morris explained that for a large system such as the one installed at Paul Revere, detailed documents showing topography, soil content, surface contours, and ground water elevations are required and were presented to the Millbury Board of Health and approved. "The DEP also has to approve the plan as the average daily flow at Paul Revere is 21,000 gallons per day or 6,000 gallons per day over the state average requirement of 15,000 gallons per day. In their answer received today," Morris said, "they admit to not getting a ground water discharge permit."

Graham asked Morris if the Millbury Board of Health approved the plan presented by Forrow Builders.

Morris replied that they had.

Attorney John Mirick commented that he had no answer as to why there was no submission to the DEP.

Morris continued her pleadings by alleging that the developers, when installing the septic systems, failed to meet the state codes, that the septic tanks were not of the appropriate size, that improper materials were used and didn't meet the appropriate depths, and that construction debris and boulders used in backfilling the systems caused damage to the system. All of these items taken together, she said, ultimately contributed to raw sewerage breaking out. "All this was done under the direct supervision and direction of Forrest and Rawinski," she said.

Turn to CONDO on Page 8

Voters Say 'no' to appeal for sewage connection

MILLBURY - Voters failed to approved an override debt exclusion at the July 28 election that would have provided for bonding to extend a sewer line up Grafton Street to the Grafton line to allow for the connection of Paul Revere Village to town sewers. Voting results posted by the Town Clerks Office were:

PRECINCTS	YES	NO	Total
Precinct One	298	226	524
Precinct Two	113	335	448
Precinct Three	114	270	384
Precinct Four	96	206	302
Total	621	1037	1658

Sutton Opts for School Choice

By Edward J. Cooney

SUTTON - The July 27 School Committee meeting was convened by Chairwoman Sue Horne with all members present.

The School Choice issue created a divided committee on whether to implement a "School Choice Plan" for this upcoming school year. The vote to implement School Choice passed after some discussion and debate on its merits by a 3-2 vote. Committeeman Victor Kourey led the discussion for its adoption and was supported by Ann Fox and Sue Horne.

Roach spoke strongly against implementing the proposal at this time, asking for a delay of another year to allow for more information. She was supported by Snyder. Roach's motion for a delay until 1993 was defeated 2-3 with the same line-up in voting.

Spence noted that the Committee voted last year not to participate in the School Choice plan. "The question tonight," he said, "should be whether or not we want to participate regardless if the legislation is good or not." Spence noted that there is a policy in force in Sutton that allows the children of school employees who live out of town to attend school in Sutton. "If you go to school choice, you get the per pupil cost on that which would be about $8000," he said. Presently there are two children of non residents in the schools and Spence said they use approximately $200 in consumable materials which is what they now pay. "If you do not participate in school choice," he said, "there is no doubt you can lose some money. If you do participate, you could buy some problems but you could also buy some revenue."

"Keep in mind that when you are talking about revenues," Spence continued, "yes, you may be bringing youngsters in and increasing the size, but the alternative to that may be that you will have to eliminate a teacher and increase the class size by a third."

"The State has tried to ease the burden on the sending school and limit revenue of the receiving school by putting a cap on of $5000," said Spence. "That amount doesn't mean much to us unless the sending school is overspending and the cost is over $5000, as we have a per pupil expenditure of $3200-3400. In any event," he said, "you would get the cost per pupil for the amount they spend per pupil either from the state or both."

"We really have no choice," Kourey said. "We should be accepting school choice. It's the only way to bring money in. You're going to lose it regardless."

Roach asked how many students the high school would have to take in before hiring another teacher?

Turn to SUTTON on Page 12

Sutton Lions Name Leona Dona '1992 Citizen of the Year'

SUTTON - Leona Dona, 80 Burbank Road, was honored recently by the Massachusetts House for her selection by the Sutton Lions Club as "1992 Citizen of the Year." Rep. Richard T. Moore presented the resolution which referred to Mrs. Dona as the town's "Pied Piper, a farmer and naturalist," and noted that few people have not been touched by Mrs. Dona in some way.

Mrs. Dona was a school bus driver for 25 years, and drove many of the current Lions Club members to school as youngsters.

The resolution cited Mrs. Dona's work with local Boy and Girl Scouts, Campfire Girls, and the Worcester County Extension Service.

Mrs. Dona is also well known for her laborious efforts to preserve her farm, "Freegrace," which was placed on the National Registry of Historic Places.

The resolution said Mrs. Dona's actions reflect "the highest principles of humanity, charity and love of one's fellowman."

THE MILLBURY-SUTTON CHRONICLE

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PUBLISHER Alexander G. Belisle
EDITOR Andree A. Belisle

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We The People

LETTERS TO THE EDITOR

The Millbury-Sutton Chronicle welcomes Letters to the Editor. However, because of space limitations, letters should be limited to no more than 300 words. We reserve the right to edit any letter in excess of that amount. Name, address, phone number, and signature must be included for verification purposes. Letters not containing all of the above will not be printed.

Because of the time it takes to verify signatures, those letters with multiple signatures will have only one name listed. Letter writers should determine which name that will be. We will include the number of other signatures on the letter. Letter writers are limited to one submission per month. No guarantee is made on a date of publication. Letters from outside the Millbury-Sutton area will be printed, space permitting.

Please note: no letters in favor of or in opposition to any candidate or issue on the ballot in the September 15 primary will be accepted for publication after August 15.

Says district office always in place

To the Editor:

Monica Bauer of Oxford recently wrote in local papers that her candidacy was the reason Representative Kollios has set up campaign offices and is campaigning door-to-door. If it was not for the fact that Ms. Bauer is relatively new to the district, that inference would be humorous.

Actually, having worked with Paul in all of his campaigns, I can tell Ms. Bauer that Paul Kollios has had campaign offices and has gone door-to-door to meet and talk with voters from his first race to now.

This was Paul's approach in 1972 when we were a part of a double district with six towns, and it has continued through 1980, 1982, 1990 and this year - each year of a campaign. Paul even went door-to-door to survey voter opinions last year - an off election year.

No, Ms. Bauer, it is not you! Paul Kollios enjoys the first hand contact, listening to his constituents' ideas and concerns. He has the most extensive office hours of any legislator in the Worcester region and has maintained a district office from when he was first elected to the present. I suppose next Ms. Bauer, you'll be saying Paul Kollios is inaccessible to the people.

Frank Gagliardi
Kollios Committee treasurer
Millbury

Support Kollios vote

To the Editor:

As public school educators in the 7th Worcester District we would like to take this opportunity to thank our State Representative Paul Kollios for leading the successful fight in overriding Governor Weld's veto of education funding for our public schools.

We also thank you Representative Paul Kollios for writing to Speaker Flaherty and taking our message to the floor of the House and strongly supporting our cause before the legislature.

Your past and present support of public education is a clear indication of your understanding and commitment to the needs of public education in Auburn, Millbury and Oxford.

Again, many thanks Paul for a job well done.

Mary Anne Dube
Millbury
This letter was also signed by two other individuals.

Turn to LETTERS on Page 11

Obituaries

Irene M. Lukas

MILLBURY - Irene M. (Kupstas) Wishneski Lukas, 69, of 9 Broadmeadow Ave. died July 10th in St. Vincent Hospital, Worcester, after an illness.

Her first husband, John Wishneski, died in 1957 and her second husband, Joseph G. Lukas Sr., died in 1991. She leaves one son, Joseph G. Lukas Jr. of Millbury; three daughters, Andrea J. Singer of Millbury, Elaine Lubin of Hartford, Conn. and Susan Bertrand of Somers, Conn.; three brothers, Anthony Kupstas of Auburn, Edward Kupstas of Worcester, and Peter Kupstas of Cape Cod; one granddaughter; three grandsons; one great grandson; and nieces and nephews. She was born in Southbridge, daughter of Anthony and Anastasia (Vieraitis) Kupstas and lived in Worcester before moving here forty years ago.

Mrs. Lukas was a member of Our Lady of Lourdes Church in Worcester and the American Association of Retired Persons. She graduated from Commerce High School in Worcester, class of 1940.

The funeral was held July 13th from the Mulhane Home for Funerals, 45 Main St., with a Mass in Our Lady of Lourdes Church, Worcester. Burial was in Notre Dame Cemetery, Worcester. Memorial contributions may be made to the memorial fund of Our Lady of Lourdes Church, 1290 Grafton St., Worcester, MA 01604.

Isabel R. Tomasino

MILLBURY - Isabel R. (Cote) Tomasino, 75, of 2 Pearl St., died July 11 in St. Vincent Hospital, Worcester, after an illness.

Her husband of 36 years, Domenic J. Tomasino, died in 1972. She leaves a son, Robert J. Tomasino of Corunna, Michigan; a daughter, Sue-Ann Giandomenico of Millbury; six grandchildren; four great grandchildren; a special niece, June Miller of Grafton, and other nieces and nephews. She was born in Worcester, daughter of Henry and Alma (Lamonte) Cote and moved here in 1985.

Mrs. Tomasino was a supervisor at Worcester Knitting Co. for 30 years, retiring in 1980. She was a member of St. Brigid's Church and was active in many bowling leagues in the Worcester area.

The funeral was held July 13 from the Mulhane Home for Funerals with a Mass in St. Brigid's Church. Burial was in Notre Dame Cemetery, Worcester.

Charles D. Gregory

MILLBURY - Charles D. Gregory, 80, of 11 Canal St., died July 14 in St. Vincent Hospital, Worcester, after an illness.

He leaves a daughter, Shirley F. Hassett of Worcester; two sisters, Ruth E. Casey of Worcester and Loretta G. Hazelwood of Millbury; five grandchildren; nine great grandchildren; and nieces and nephews. He was born in Worcester, son of John P. and Delia E. (Friguglietti) Gregory and moved here 27 years ago.

Mr. Gregory was a foreman at the former Graton-Knight Co. in Worcester for 40 years. He then worked at the Grafton State Hospital in Grafton for 10 years, and then at the David Clark Co. Inc. in Worcester for 8 years, retiring in 1988.

He was a member of St. Brigid's Church, the Millbury Council on Aging, and the American Federation of State &County Municipal Employees of Massachusetts. He was an avid sports fan at Holy Cross College in Worcester for the last 60 years.

The funeral was held July 17 from the Mulhane Home for Funerals with a Mass at St. Brigid's Church. Burial was in Notre Dame Cemetery, Worcester. Memorial contributions may be made to a charity of the donor's choice.

Clara L. Sharron

MILLBURY - Clara L. (Kawolis) Sharron, 80, of 38 South Oxford Rd,. West Millbury, died July 16 in her home after an illness.

Her husband, Leo A. Sharron Sr., died in 1968. She leaves two sons, Leo A. Sharron Jr. and Bernard F. Sharron, both of West Millbury; six grandchildren; nine great grandchildren; and nieces and nephews. She was born in Cambridge, daughter of Peter and Viola (Stark) Kawolis and lived in Sutton before moving to Millbury where she has lived most of her life.

Mrs. Sharron was a secretary at the former D.T. Dudley Shuttle Company, a clerk at the former Ballard Drug Store and was a secretary in the local assistance office in Millbury for the Commonwealth of Mass. She worked for many years, retiring in 1970.

Mrs. Sharron was a member of St. Brigid's Church and the AARP. She graduated from Millbury High School in 1928.

The funeral was held July 18 from the Mulhane Home for Funerals with a Mass in St. Brigid's Church. Burial was in St. Brigid's Cemetery. Memorial contributions may be made to the District Nursing Society Inc., 123 Elm St., P.O. Box 45, Millbury, MA 01527.

Paul D. Lavallee

MILLBURY - Paul D. Lavallee, 45, of 3 Victoria Terrace, formerly of Framingham, was stricken July 31 at Windle Field while playing softball with the Jack Benny League and died at St. Vincent Hospital, Worcester.

He leaves a brother, Stephen J. Lavallee of Millbury; a sister, Janice M. Casello of Leicester; nieces and nephews and grand nieces and nephews. He was born in Worcester, son of Clifford and Margaret A. (White) Lavallee and lived in Millbury most of his life, living in Framingham for two years, and returned here two weeks ago.

Mr. Lavallee was a self-employed painter and accountant for many years. He was a disabled Army veteran and served in Vietnam. He graduated from Millbury Memorial High School in 1965 and was an umpire in the Ashland Softball league. He was also a sponsor and speaker in AA, in the Worcester and Framingham area.

The funeral was held August 4th from Mulhane Home for Funerals with a Mass in St. Brigid's Church. Burial was in St. Brigid's Cemetery.

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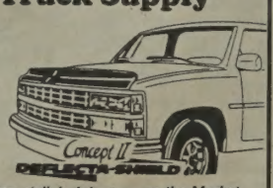

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Millbury Selectmen's Meeting Digest

Condo Association Appeal Limits Access to Minutes

By Edward J. Cooney

MILLBURY - The Selectmen's July 28 meeting convened at 7:00 p.m. Administrative Assistant Earl Chase informed the Board that the State DPW will be meeting with the Conservation Commission in reference to filing a proposal for laying foundations for the Bailey Bridge that will be spanning the Blackstone River at McCracken Road to allow for trucks exiting Granger Lynch to access 146 without using Greenwood Street.

Chase also said the DPW is reviewing a proposal submitted by resident Joseph Bianculli for safety improvements to the Rte 122-Wheelock Ave and Ward St. area as presented to the board at a recent meeting. Presently work is going forward at the intersection to widen a sidewalk and widen a radius leading on to a right turn to Grafton Rd.

Paul Revere Village

Chairman Jude Cristo recognized Sylvio Bourdeau who was present to look at the outline he has developed to assist a committee to be established by the Board to investigate the problems at Paul Revere Village. Town meeting approved the formation of the committee.

Cristo noted that the Board was informed today by Town Counsel that the Paul Revere Association, on July 1, 1992 appealed a recent decision from the Worcester Housing Court that dissolved any claims against the Town of Millbury and its agents. Cristo said Counsel was recommending that the Selectmen not proceed with its investigation of the matter while the Town is under litigation.

Bourdeau said that would not refer to his research as an individual.

Cristo noted that the executive session minutes requested by Bourdeau would be held while the litigation continues against the Town.

Apparently legal counsel for the Town's insurance company was not notified by the Court about the appeal until recently, Cristo said.

"That in no way hinders me," said Bourdeau, "I can go on by myself. For myself, if I get involved with this committee and I suspect that this committee through whatever source is attempting to water down facts or whitewash, or there is general political interference, I will resign from the committee immediately and will carry on myself and complete my original goal. I will expose anyone who tries to influence the outcome of this investigation," he said. "You will all know why if I pick up my marbles and go home."

Cristo replied that he hoped Bourdeau would complete his plan in an objective fashion and asked who would determine if someone is interfering.

Bourdeau replied that as a federal auditor for 31 years, he will know when there is interference. "I'll know when someone is trying to influence me or my work," he said.

Bourdeau said he would be using the **Millbury-Sutton Chronicle's** 16 reports on the Paul Revere issue as an audit schedule and go from there. He also suggested that the committee should be made up of people who have analytical minds and can piece facts and information together to build a picture of what actual happened.

Selectman Roland Lachance said he hoped the investigation would not turn out to be a witch hunt.

"There will be no witch hunt," Bourdeau said. "We are looking for facts. No auditor goes looking for a witch hunt."

Selectman Bernie Plante said Bourdeau was making valid points. "I think this goes way beyond the scope of the Selectmen. If anybody should be doing this investigation it should be the Attorney General, in my opinion. It is way beyond any of us, the Planning Board or the Board of Health," he said.

Bourdeau suggested that the selectmen read the Town By-laws which state that the Selectmen will have general management powers and direction of the affairs of the town except as directed by other laws of the Commonwealth.

Plante said he didn't think any member had a question about their duties. "It's, can we do anything to elected officials?" he asked. "I don't think so, unless it is a misappropriation of funds."

"You're not doing anything to them," Bourdeau countered, "you're investigating them."

"I think this is for the Attorney General, not the Board of Selectmen," Plante said.

It was agreed to continue the discussion at a future date.

Bourdeau also referred to the use of Sewer Reserve Fund monies which are in a revolving account. He told the Board that he sent the Commissioner of the Department of Revenue a letter outlining complaints and alleging a misuse of sewer reserve account funds. Bourdeau alleges that the original provisions of that account have been violated and that they are being used to circumvent proposition 2 1/2 by town officials. "I have been told by Mr. David Cofske, town treasurer, that had these monies been available to apply against any impending cost for the extension of the sewerage system, it would save the town an estimated $300,000 on a 20 year bond issue. It's outrageous that this has been going on and the Finance Committees have been going along with this," Bourdeau said.

Dog Complaint

The Board held a public hearing on a complaint against the owners of a dog housed at 8 Leslie Lane. The dog's owner, J.H. Lemmon, was present as well as complainants Paul and Sandra Rembiszewski, also of Leslie Lane. The Board heard testimony from the complainants of the chow dog attacking two dogs in the neighborhood when it slipped its chain.

Lemmon acknowledged that his dog did break from the chain and said he then acquired a chain that was approved by Dog Officer George Royal. Lemmon said, and Royal verified, that the dog is now under control. Lemmon also said he paid for the medical bills of one dog even though it wasn't verified that his dog was the attacker.

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SELECTMEN from Page 3

Sylvio Bourdeau, also of Leslie Lane, said the dog hasn't always been leashed as he was circled by Lemmon's dog before. He said if the dog comes into his yard acting in a vicious manner, he will exercise his right to shoot the dog.

Paul Rembiszewski said he would do the same.

Cristo cautioned against discharging a firearm in a residential neighborhood.

Selectmen Donald Gauthier said he used to walk on Leslie Lane but has not done so since he was followed and circled on more than one occasion by the Lemmon's dog. "In my opinion," he said, "the dog is vicious. If it's not restrained, then it should be banished."

Mrs. Lemmon said she has 12 grandchildren and a child living at home that play with the dog and ride him around like a horse, with no problems.

Cristo noted that a dog very often acts differently with family than with strangers.

George Royal said that according to the town by-law, all dogs should be under control of their owners and restrained on their property.

The board agreed to take the matter under advisement and advise those concerned in writing.

Royal referred to another dog complaint that was not on the agenda concerning a dog owned by Marie Beardsley of 21 Wildwood Rd. Royal told the Board that he needs more cooperation from the Town Clerk's office in getting information concerning updates on dog license acquisitions.

Cristo told him to work through Earl Chase to see what can be done.

The Board then voted unanimously to send a letter to both the Lemmons and Beardsleys regarding the complaints and advise them that their dogs are to be restrained on their property at all times or other action will be taken.

Miscellaneous

- Chase said Fire Chief Phil Day, Jr. is asking for the Board's support to allow the release of fiberglass fire helmets to the Sutton Fire Departments program for youth. The equipment has no monetary or historical value.

- On a 4-1 vote, the Board appointed veteran firefighter Lt. Bill Haynes as a Fire Engineer to fill a vacancy on the Board of Fire Engineers. Voting for Haynes were Bleau, Cristo, Lachance and Plante. They cited his 38 years in service as a firefighter as the major reason for their votes. Gauthier voted for Captain Jeff Dore.

- The Board approved a request from Attorney Michael Friel, representing Wheelabrator-Millbury Inc. to prepay revenue bonds acquired through the Millbury Industrial Development Finance Authority (IDFA) for $100,000 on a bond of $325,000. Bernie Plante, who also serves as Chairman of the I.D.F.A., said the IDFA voted 3-0 to approve the prepayment.

- The Board approved a request for abandonment of a parking space at 49 North Main Street from Percol Trust/ Kayla Homes to allow utilization of a curb cut for access.

Proposed Train Station

East Millbury resident Jeffrey Dore presented concerns related to the proposed location of an MBTA train station in the area of Rte 122 and the Mass Pike entrance at exit 11. Using statistics he said he acquired from the Central Mass. Regional Planning Commission (CMRPC) Dore cited the most recent traffic counts for the area under consideration. There are 3,450 vehicles per day travelling southbound on Rte 122 from 5 a.m. to 9 a.m. and 4,259 vehicles travelling northbound from 2 p.m. to 6 p.m. daily with a total vehicle count daily of 25,267. Dore said the proposed rail station could see the daily traffic increase by another 400 vehicles.

Dore said Rte 122, a two lane highway, cannot handle that kind of traffic and suggested that a better solution would be to route the traffic over the Rte 20 corridor. He also said a better location for the proposed station would be an area across from the present entrance to the Mass. Pike behind a lock washer company. He said this would provide closer proximity to the existing rail track that goes to Worcester and could provide easy access to Rte 20.

Dore also proposed that the Selectmen ask MBTA representatives to meet with the residents in the area and provide town and state officials with weekly updates on their plans. He also asked the selectmen to seek negotiations with the MBTA for more benefits to the Town.

Cristo suggested that the neighborhood set up a committee "before this is rammed down their throats." He noted that that area near the Mass. Pike entrance is already congested.

Dore said he has already contacted Senator Matthew Amorello and Rep. Paul Kollios and has shown Amorello a map indicating what the better option would be for the area.

Chase noted that the MBTA will be on the agenda for the August 25th meeting. It was suggested that the residents be in attendance to ask questions.

Plante said Kollios told him that he has been kept in the dark about the MBTA's proposal and that he doesn't know anymore than the Selectmen about what is going on. He also said that Governor Weld is going through Amorello and that Kollios is finding out things at a late date.

The Board voted to establish a Committee made up of one Selectman or a designee, the Town Planner, and three members at large.

Bauer campaign to hold family fun day

OXFORD - The Committee to elect Monica Bauer to the Massachusetts House of Representatives will hold a Family Fun Day on Sunday, August 9, from 1 to 4 p.m. at the Sepuka Farm (Win-D-Hill Farm), 60 Hudson Road, Oxford. Hudson Road is off Federal Hill Road. The Sepuka farm has the oldest house in Oxford, restored by Paul and Carol Sepuka. There will be food and entertainment for the whole family. For directions, call 987-3475. Admission will be five dollars for adults. Seniors and children will be admitted free of charge.

Bauer, a democrat, will challenge incumbent representative Paul Kollios in the September primary.

Superintendent to Retire

MILLBURY - The Millbury School Committee and Dr. Alfred J. Sylvia, Superintendent of Schools, have announced that the Superintendent will be retiring May 19, 1993. Sylvia has been Superintendent since November of 1974 and served the Millbury Public Schools as Assistant Superintendent from August 1971 to 1974.

Chester P. Hanratty, Jr. chairman of the Millbury School Committee, said Sylvia has served the Millbury Public Schools well over the past 21 years. "During his tenure," he said, "he has many accomplishments to his credit. To cite some of the highlights of his accomplishments, it can be noted that the Raymond E. Shaw Elementary School was opened in 1975. He was instrumental in having additions and renovations take place to Millbury Memorial Jr./Sr. high school in 1979 and has seen the smooth closing of five small elementary schools during his eighteen year tenure as Superintendent.

"More importantly, he has been very active in continuously upgrading Millbury's elementary curriculum in the areas of reading, math, science, social studies, and language arts. At the high school level, he initiated increased graduation requirements for math, science and social studies. In addition, he has been a strong leader in introducing computer and technology into the curriculum. In his early years, he was outstanding in securing state and federal funds for all areas of curriculum."

The Committee will appoint Assistant Superintendent Richard Palermo as Acting Superintendent as of December 21, 1992.

Annual Flea Market

MILLBURY - The Women's Fellowship of the First Congregational Church, West Main Street, will sponsor its Annual Flea Market on September 19, from 9 a.m. to 2 p.m. People interested in reserving table space in the church vestry should contact Jeri Stead at 865-5371 as soon as possible. The $15 inside area consists of a large supper table plus a card table. Once again, outdoor reservations are available for those who are willing to chance the weather. People with outdoor space must provide their own tables and the fee is $10 per reservation. All reservations should be made as soon as possible.

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Discussion develops over ERB decision

By Lawrence Moore

SUTTON - Chairman Wally Johnson opened the workshop session of the July 21 Selectmen's meeting. Present were Selectmen Rick LaBonte, Mary Connor, Dave Strieby, Dana Gravison and Town Administrator Dexter Blois.

Johnson questioned previous meeting minutes that referred to the Venincasa property on Armsby Road which is in bankruptcy proceedings.

Blois explained that there was a motion by the trustee to abandon the property. He said the Town objected because there are some "serious safety problems" and if the property was abandoned, there would be no assets to rehabilitate the property. The Court agreed with the town. The property will now go up for auction. The new owner of the property will be required by the Town to correct any sub-standard conditions.

Appeal

Strieby noted that an appeal has been made by Bien Construction to the denial by the ZBA of Bien's request for a variance and a special permit for the use of property behind Orchard Apartments. Blois advised that Town Counsel filed a reply and that the hearing on the appeal would not be for some time. Town Counsel suggested that the appeal had not been filed in time and that there may not be an action.

Petition

A petition initiated by the Selectmen and the School Committee of the Town of Hudson was brought before the board by Strieby. Other towns have been asked to prepare and distribute the petition and return it to Hudson by October 1 for transmittal to Boston.

The petition reads: We, the undersigned residents of _____, do hereby implore, entreat, and beseech our elected representatives in the Great and General Court, and in the Administration of the Commonwealth, to restore the fiscal partnership between the local communities of the Commonwealth and its State government, as it existed in the Fiscal Year 1989. For the past three years our local services have been disproportionately affected by the State's financial shortfall, and the voices of our citizens, raised in protest through such avenues as Question 5, have been ignored. Whether they are based upon property, income, sales or other, it is, ultimately, our tax dollars which pay for the services which all levels of government provide, and we join our fellow taxpayers throughout the state in demanding that the fair share of the local communities be restored.

The Board unanimously voted to endorse the petition and requested Blois to arrange to post petitions for residents to sign in various places in Town.

Hartness Road Update

Blois has communicated with Firemen's Fund Insurance Company, with notification to State agencies, to secure the cash for the bond in place to cover the completion of Hartness Road. One of the contractors, Cincotta, has promised to "take the crown out of the road" while doing other work. When the bond money is received, the road will be surfaced. Town counsel will attend the bankruptcy court hearing to make sure Sutton's claim for the bond is satisfied before that of other creditors, and not added to the assets of the bankrupt. Blois assured a resident, Daria Bentley, that the amounts under bond are sufficient to finish the road with "hot-top" asphalt, the best. All agreed that, in the future, all bonds should be cash bonds, rather than insured bonds.

Singletary Watershed Association

The Lake Singletary Watershed Association has asked that Sutton become a member of the Association so that it might be possible to apply for a "Clean Lakes Grant" that is not available to private groups. The town would be the lead agency in the grant application in cooperation with the Association. Notification of Millbury will be required. Reports and information in the possession of the Association will meet the requirements to match the grant. It was unanimously voted to support the project.

Selectman Dana Gravison questioned whether the Town should be a member of the Association.

Strieby suggested caution before the town obligated itself to membership in an organization whose objectives or actions could in some way compromise the town.

Miscellaneous

- Resident Walter Klewic called attention to an odor problem in the drain on town property adjacent to his home on Singletary Avenue. The Board of Health is investigating possible sources of the odor, and it was agreed that no action should be taken until the source of the odor, man-made or natural, is determined.

- The Board acceded to the Historical Society's request to utilize nearby Town property for parking several times a year when the Blacksmith Shop is active.

- Based on Assessor Pat Nedoroscik's estimated completion of her valuation figures, Blois advised that a special Town Meeting to balance the budget will be called in mid to late September. Blois said he anticipated no salary increases in the balanced budget, saying, "We will be cutting, not adding."

- Johnson announced the resignation of Richard Ezold from the Sewer Commission. The Commission members are now Stuart Snow and Cynthia Blonden.

Public hearing on video games

The board continued discussion on a request to install video machines in Nick's Market in the Shopping Plaza at the corner of Boston Road and 122A. Douglas Wentworth, proprietor, said he proposed to install two machines in a storage room at the rear of the store.

In response to Selectmen LaBonte's request, Blois repeated the negative comments in Police Chief John Annis' letter of disapproval. He also cited complaints about loitering at the Plaza.

"I don't think it's the place for it," Gravison said. "We have the recommendation of the Police Chief and I go along with it."

"Kids and alcohol don't mix," LaBonte said.

Connor discussed the possibility of moving the location of the machines to improve supervision, questioning the ability of one clerk in the store to supervise the store and the machines.

The manager of the neighboring video store and resident Daria Bentley expressed no objection.

Turn to SUTTON on Page 7

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On The Shelf

By Rosemary Waltos

NOVELS SET IN MASSACHUSETTS

Many noted authors from James Fenimore Cooper in 1825 to today's mystery writer, Robert B. Parker, have used Massachusetts as fertile ground in which to set their novels. Below is a sampling of books by contemporary authors whose fiction takes place in Massachusetts. These books can be found at the Millbury Public Library.

GENERAL FICTION

Harmful Intent by Robin Cook: Cook combines state-of-the-art medical technology and complex moral and social issues to create another story of terror and suspense against the backdrop of the fictitious Boston Memorial Hospital.

Digger's Game by George V. Higgins: Higgins picks at Boston's undersides to glimpse at the organized crime world in his 1973 crime novel of the year.

The Last Waltz by Nancy Zaroulis: a story of unrequited love among the upper class in turn-of-the-century Boston.

The Love of Elspeth Baker by Myron S. Kaufmann: with babe in arms and possessing the grit of a survivor, Elspeth Baker beats the odds to find what in life she is really after.

Fly Away Home by Marge Piercy: Piercy brings you to the Boston suburbs to dig beneath the surface of Daria Walker's seemingly happy marriage to Russ Walker, her husband of twenty-two years.

The Class by Erich Segal: a saga of a generation and the story of five members of Harvard's class of 1958 and the women they share their lives with.

American Mischief by Alan Lelchuk: this was Lelchuk's debut novel about the ills of the day explored against the Boston skyline.

MYSTERIES

A Die in The Country by Tobias Wells: Detective Knute Severson thought he and his wife would live a quiet life once they were out of Boston and settled in Wellesley. He didn't think that violence and mystery would await them there, too.

Dead Winter by William G. Tapply: Boston based lawyer Brady Coyne is divorced. He's forty with a wry sense of humor and a passion for fishing. Here he fishes for the details to untangle an intricate web of crimes and family secrets.

Playmates by Robert B. Parker: a supersizzler from Boston's beloved private eye with a chivalric code and a delicate palette.

Halfwit by Jerry Goggins: Worcester's own weaves a tale of intrigue that involves a man and a woman and a priest.

The Nantucket Diet Murders by Virginia Rich: let your mouth drool over this delicate mystery even if you can't summer on the island of Nantucket.

Library Hours: Tues.- Thurs. 10-8; Fri. 10-6; Sat 10-1. Telephone: 865-1181.

Openings for preschool class

SUTTON - The Sutton preschool has four openings for typical students to participate in the morning session of the integrated preschool class for three year olds. Candidates must have passed the preschool screening.

Sessions will be Tuesday through Thursday mornings. To apply, call Claudia Simonian 865-6132. Selections will be made through a lottery.

Receives pre-ordination license

SUTTON - On July 26, Gertrude Holm, Church Clerk of The First Baptist Church, Central Turnpike, West Sutton, presented the Rev. Sandra Hartman with her pre-ordination license issued by the American Baptist Conference during the Morning Worship Service.

The Rev. Hartman is a graduate of Andover-Newton Theological School. The Church and its members and friends, the American Baptist Conference, and the Rev. Overstreet have worked closely with each other towards obtaining the Rev. Hartman the title of a fully ordained minister.

Route 146 Interchange Map at Library

MILLBURY - The Millbury Public Library has a current map from the Massachusetts Department of Public Works and HNTB showing details of the proposed Route 146/Mass Pike Interchange Project. This map is available in the reference area of the library.

Chowder and clam cakes

SUTTON - Saint Anne's Church in Manchaug will hold a Chowder and Clam Cake Supper, Saturday, August 15, from 4-7 p.m. Tickets are $5.00 for adults and $2.50 for children under 12. Watermelon and drinks will also be served, and there will be a "Lucky Take Raffle" held.

Lioness Club installs officers

MILLBURY - The Millbury Lioness Club recently held its awards and installation banquet. Officers for July 1, 1992 to July 1, 1993 are: President, Elizabeth Vulter; Secretary, Sharon Morin; Treasurer, Susan Saucier; Ist vice-president, Maxine Mayotte; 2nd vice-president, Mary Krumsiek; Tail Twister, Jamie Wilson; Lioness Tamer, Beverly Schold; Board of Directors; Dot Gibeault and Gerry Morin; Memberships, Madeleine Erickson.

Some awards presented were: Lioness of the Year to Maxine Mayotte; Highest Lionism Award, the Melvin Jones Fellowship, to Philip Day, Sr.

Arts Council Applications

MILLBURY - The Millbury Arts Council is accepting applications for the current funding cycle. Forms, which may be obtained from the Town Clerk or at the Library, must be submitted by October 15, 1992.

Soccer Clinic

MILLBURY - There will be a soccer clinic Monday, August 17, at 7:00 p.m. at the Town Hall. Anyone interested in refereeing soccer games for the Millbury Parks Soccer League this Fall must attend this clinic - no clinic; no games! Any questions, Call Jim Morin 865-5652.

Photo Exhibit

MILLBURY - Shutter bugs will want to visit the Millbury Public Library to view the "Take Your Best Shot" photo exhibit featuring the action photography of youngsters in the towns of Millbury, Auburn, Grafton, Shrewsbury, Westboro, and Northboro.

This traveling exhibit will be featured in Millbury from Thursday, August 6 through Thursday, August 13 and travels next to Auburn and then on to the other participating libraries.

The Millbury, Auburn, Grafton, Shrewsbury, Westboro, and Northboro Public Libraries would like to thank members of "Our View Photography Club" for judging this exhibit.

Don't forget! Wednesday, August 12, the Millbury Public Library wraps up its summer programming series with a special "Spotlight on Sports" presentation highlighting your favorite teams and the games they play. Registration is necessary, so if you have not registered, do so quickly by calling 865-1181.

School Choice in Sutton

SUTTON - On Monday evening July 27, 1992, the Sutton School Committee voted to participate in the program known as "School Choice." School Choice allows students from other school districts to attend Sutton schools. The receiving district receives reimbursement from the sending district and the state.

The School Committee voted to limit the number of out-of-district students to a maximum of three in each grade, kindergarten through grade eight, and a maximum of five in each grade nine through twelve.

Interested applicants should submit their request in writing to the Office of the Superintendent prior to August 10, 1992.

SUTTON from Page 5

Connor then moved that if the machines were limited to one or two and brought into the open, the license be granted. Seconded by Strieby, the motion was defeated 4 to 1. The license was not granted.

Earth removal

Although the Agenda item was listed as "Earth Removal Board (ERB) appointment" (of Rico Betti), the heated discussion that followed was devoted principally to an earth removal problem.

The appointment had originally been held over in response to Gravison's request for time to look into some aspects of ERB activities and because of vacations. Gravison said that as a result of his conversations with some people, he would not vote to reappoint Betti as Chairman of the ERB.

In response to Johnson's request for comments, Connor referred to the problem of the ERB decision in regard to the property of Robert Judson and David Lavallee under the power lines west of Stone School Road. In essence, the ERB decision in that case was restricted whereas three other properties adjacent and adjoining the Judson-Lavallee property were not similarly restricted. At issue among the parties was a summary of the case prepared by Blois after consultation with Town Counsel, but not reviewed by the Selectmen and not received by Betti prior to the meeting. In his summary, Blois recommended that the case be returned to the ERB for review. He wrote: "In any action taken by a town board, that board must be consistent in its application of bylaws or rules and regulations. Failure to do so can and will jeopardize any action taken, and create a potential liability {lawsuit} against the town."

Betti pointed out that he had not had a chance to review the contents of Blois' report and so could not comment. He also felt that the lack of communication among the Administrator, the Selectmen and his Board did the town a disservice, since, in this case, as Lavallee stated at the meeting, he had been asked by Blois not to institute legal proceedings against the ERB.

Betti said, "I think that if these people had concerns, they should have addressed them to the Earth Removal Board. I don't think this is the proper format for applicants to state that I'm too restrictive. At our Board meetings, we try to be very open. These are issues that haven't been brought to our board."

For some reason, Betti did not know that a fifth member, Fred Belfay, had been appointed to the ERB, completing its membership. Blois insisted that a letter had been mailed.

Johnson said, "Here's an appointment that should have been made months ago. Somebody wants more information; somebody wants more discussion. All I've heard about Rico (Betti), all they've ever done is bitched about the way he handles his decisions. He's too strict; he is the whole Board. In the last two weeks, I've heard some bitchin' through the grapevine, coming from the Board members....There's something on that Board that's not right.....Whether they live by the bylaws, too strict, or whether the language in the bylaw is not the intent....I'm not going to get involved."

"Wally," Betti replied, "I think in the last 5 years we've made tremendous progress in the Earth Removal Board, with the bylaw and with reclamation in the town. We don't try to publicize the successes we've had, but there've been 50 - 60 acres in town that have been reclaimed since this bylaw came into being. Prior to that time, there might have been 5 or 6 acres total reclaimed. We do require reclamations; we do have specifications. I didn't invent the specifications. We've worked successfully with the planning board." Betti stressed the amount of physical and clerical work that he had had to do in his five years as Chair and his desire to vacate the Chair, but with no takers.

In regard to the Judson-Lavallee case, he said he had checked with Town Counsel and had verbal assurance that the decision was correct. If there was disagreement, he felt the Selectmen or the Administrator should have come to the ERB to work it out, to "let the ERB know what you hear."

Strieby commented that if there was dissatisfaction on the Board, Betti could have been replaced as Chair. He praised the work that Betti had done, saying, "I can well remember six years ago the magnitude of complaints that this Board and other Boards had regarding Earth Removal. I can't but say that in the past five years there's been more than one or two. In my opinion, the Board has been doing a darn good job because we haven't had the complaints. For myself, I'm supporting Rico."

"I don't think it's right to act on something that you hear if you don't confront the Board," Connor said. "But the town counsel says there is a problem with one particular case that was handled much stricter than the others."

Blois said counsel never talked to him about the prior decision.

Connor repeated that the wise thing to do was to get all parties concerned together and come to a decision.

Gravison said other members of the ERB should have been present to support Betti's reappointment.

Betti said that such support was voted at the last meeting of the ERB. He also told of the difficulties of the first year and a half of the new By Law. He said the operators would much rather be unregulated that subject to a bylaw.

"I know the progress that has been made," Connor said. "Our responsibility is to appoint someone who will apply the bylaw in the way we want it applied." She also said that she had a problem with the appointment because of the seemingly different way the bylaw was applied in the Judson-Lavallee case.

Recognized by Johnson, Lavallee said "I have been patient since May. We have been prohibited the use of our land. We were prepared to go to court. I had been asked by the Town Administrator to please hold off until the coming appointment time."

Turn to SUTTON on Page 9

DEADLINE

The deadline for all submissions to the Millbury-Sutton Chronicle is Saturday noon of the week prior to publication. The office is closed on Saturdays, but announcements may be left in the mail box to the right of the side entrance door.

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CONDO from Page 1

Morris said Cullinan Engineering, hired by the Paul Revere Condominium Association, dug observation holes on site which indicated that the soils present were not the same as those represented by the plans submitted to the town boards. She also noted that ledge was discovered a few feet down and that this, too, was not shown on the plans submitted. "Why the difference?" she asked. "There has been no explanation."

Morris then approached the bench to show Graham a series of photographs showing the roped off areas and "keep out" signs installed at the complex. She remarked that these were areas within the complex that cannot be used by the residents. "As a result," Morris said, "the residents are virtually prisoners in their own homes."

Attorney Mirick objected to Morris' comment, saying she was testifying as a witness. He said he had no objection to the pictures, but argued that Morris should not be testifying.

Graham noted the objection and said Morris was merely explaining the affidavits. He allowed the pictures and reviewed the remaining pictures without comments from Morris.

Morris also noted that the areas were cordoned off in accordance with the Board of Health and DEP orders. "These actions are not adequate to abate the problems," Morris said, "and as a result, since there is a public health threat, the Court is being asked to require the developer to pump out the septic systems eight times per month."

Morris then told the court, "Mr. Rawinski, as an individual, actually operated the machinery that dug the holes for the septic tanks. Mr. Forrest actually participated in the construction of the system on site and supervised it," she said. "This has been admitted in the answer we just received from their attorney this morning."

Morris said the ultimate solution lies beyond the temporary measure being proposed in the injunction and the problem will be only be resolved by allowing the Paul Revere residents to connect into a street system.

Referring to the Commonwealth's attempt to assert a claim and seek a freeze on Forrest's and Rawinski's assets, Morris alleged that both individuals had transferred their assets to their wives' names and that such an action was "fraudulent."

According to Morris, the transfers occurred after an amendment was placed in another litigation with the two individuals in a complaint in a Worcester Court and after news reports in the **Millbury-Sutton Chronicle** headlined, "The Lawsuits Are Coming! The Lawsuits Are Coming!"

Morris closed her arguments by asking the Court to grant the injunction as a matter of great public interest. "The DEP and the Board of Health collectively agree violations exist," she said. "There is a public health threat."

Attorney John Mirick stated in his arguments against granting the injunction that the pleadings from the Commonwealth coming at this time have a fatal flaw in that the statute of limitations has passed. He said it has been six years since the last unit was sold in 1986.

In briefly reviewing the time frame from start to finish of the project from 1983 through 1986, Mirick emphasized that all Town departments involved approved the plans and issued permits. He called attention to the fact that from the initial planning and permitting process, negotiations between various parties resulted in a downsizing of the original proposal from 180 to 98 units.

Mirick stated that Lavallee Bros. of Sutton, certified engineers and surveyors, prepared the septic system plans which were submitted to the Board of Health. These plans, he said, were approved by the Board of Health and the developers went forward with the project. "The point is," Mirick said, "my client feels what was done was proper. The Board of Health did. The engineer did. An independent engineer did, and as a result the work went forward."

Mirick referred to the litigation brought against Forrow Builders and Lavallee Bros. by the Paul Revere Condominium Association that has been in the Worcester Courts for over two years. He said it is only lately that the Attorney General's Office is getting involved. He suggested that the efforts are being duplicated relative to the ongoing Worcester Court complaints.

The Office of the Attorney General didn't assert a claim on titles of property until last week, he said. "William Forrest and Philip Rawinski became involved in a new real estate project and thus wanted to certify the interests of their wives to be sure they would be taken care of," Mirick said. He also said that considering the economic climate and the needs of their wives, the action was "an appropriate thing to do."

"The Commonwealth is bound by the statute of limitations," Mirick continued, "and the recommendations to abate the present conditions should be borne by the present owners of the property who are not here today. They are the ones that created the nuisances. The Millbury Board of Health hasn't sought this action. They should be in here today. Why is there a problem?" he asked. "We do not know. The complex was developed as two-bedroom units. There are now some three bedroom units requiring more septic capacity. Also garbage disposal units have been added which also increases capacity."

Mirick also referred to another project underway at the rear of the condominium complex and alleged that this project could have caused changes in topography that may have affected the water courses. "These may or may not be the reasons," he said. "If there are to be any claims they should have been made six years ago. Mr. Forrest and Mr. Rawinski are not the owners. They should not be the ones to abate the nuisances."

Mirick then asked Judge Robert Graham for a change of venue to a Worcester Court, arguing that the witnesses and evidence are in Worcester County as well as a pending case that raises the same issues.

Judge Graham answered Mirick's request by stating, "It's such a short, nice ride to here."

Mirick replied, "It's the cost of parking, your honor."

Morris then spoke to the arguments put forth by Mirick regarding the statute of limitations, noting that the statute applies to court actions. She said that under federal and state codes, there is no statute of limitations to cut off the Commonwealth and the Attorney General's Office from seeking injunctive relief. "We didn't get notice of this until February 1991, and under the Clean Waters Act the statute of limitations doesn't begin until it is brought to the agency and we have knowledge of any violation," she said.

Judge Graham asked Attorney Mirick what he had to say to that argument.

Mirick responded that the project has been completed for six years and at that time all the necessary permits were received. He argued that since then, there may have been some topography changes, a change in the number of people living in some units, and added garbage disposal units.

Morris responded that it was unlikely that ledge could appear suddenly where the plans showed there was no ledge. "There are no geological reasons for that," she said, "and there were changes in the soil other than what was first told. There is no explanation of that by the passing of time."

Referring to a "two tier level of protection," Lavallee Bros., agent for Forrow Builders as one level and the Board of Health as a

Turn to CONDO on Page 12

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SUTTON

LaBonte interjected: "It appears to me we have two different issues here. One is the appointment of Betti, and the other is that our Board should ask the ERB to take another look at Mr. Lavallee's situation based on Town Counsel's opinion."

"The Board will be very happy to do that," Betti said.

LaBonte said that would be a good thing to do "to allay any fears that Mr. LaVallee might have, and to give the ERB a chance to look at Town Counsel's letter. My greater concern," he said, "is that this is the second time in less than a month that we've had an instance of varying opinions rendered by Town Counsel. He said the problem may not be the ZBA or the ERB, it may be Town Counsel. He recommended that Blois "have a serious talk" with Counsel regarding conflicting opinions.

Discussion continued, with Connor trying to determine the reason why the ERB decision in the Lavallee renewal differed from the decisions on the adjoining properties.

Betti explained that the Board was concerned about a subdivision location adjoining an active earth removal operation and that Lavallee had proposed that his attorney confer with Town Counsel regarding the interpretation of the bylaw.

Blois referred to the Town Counsel letter which he said "corroborates the Board's action in the Lavallee-Judson permit." But he expressed concern because the opinion was not consistent with their decisions in the other cases. "Regardless of the reasons," he said, "there's got to be consistency."

The board voted unanimously to return the issue to the ERB for re-discussion.

Gravison's suggestion that the reappointment of Betti be held over until the August 4th meeting was superseded by Strieby's motion to reappoint. LaBonte seconded and Betti was confirmed: Strieby, LaBonte and Connor in favor; Johnson and Gravison against.

BEACON HILL ROLL CALL

BOSTON - This week's "Beacon Hill Roll Call" records the votes of Senator Matthew Amorello (R-Grafton) and Representatives Richard Moore (D-Uxbridge) and Paul Kollios (D-Millbury) on recent roll calls.

SUPPLEMENTAL BUDGET (H 6010) - House 104-40, Senate 31-3, approved the conference committee version of a $240 million fiscal 1992 supplemental budget. The House 141-0 and Senate 32-2 later approved the bonding and land conveyance portion of the budget. Budget provisions include $110 million for road construction projects; $60 million to fund cost of living increases for government retirees; and $1 million for bonuses to Gulf War veterans. Supporters said the package is a fiscally responsible one which funds necessary programs and closes out the books on fiscal 1992. Opponents objected to a variety of provisions, including $3 million for the Hynes Convention Center and sections which tinker with Proposition 2 1/2. Others said the $240 million price tag is excessive and noted Governor Weld's original request was for $31 million. Both roll calls are listed: Amorello and Moore voted for the budget; Kollios did not vote. Amorello, Moore and Kollios voted for the bonding and land conveyance portion of the budget.

EDUCATION (H 5800) - House 148-2, Senate 33-1, overrode Governor Weld's veto of $84.8 million in additional education aid for elementary and secondary schools. The aid is in the form of $100 per pupil. Override supporters said the money is desperately needed by cash starved schools to improve the declining quality of education. Some override opponents said the money should not be approved until the legislature passes an education reform package. Others said the $100 per pupil formula does not do enough for poorer communities. Amorello, Moore and Kollios voted for the $84.4 million.

MORE EDUCATION (H 5800) - House 129-22, Senate 30-4, overrode Governor Weld's veto reduction of $100 million for equal opportunity grants to cities and towns. Override supporters said this money will help students in poorer communities which have suffered more than others. Some override opponents said the distribution formula for the $100 million is unfair and helps only a handful of communities at the expense of the majority of cities and towns which also need the money. Others said the funding should not be approved until the legislature passes an education reform package. Amorello voted against the $100 million. Moore and Kollios voted for the $100 million.

DEEDS EXCISE TAX (H 5800) - House 108-44 overrode, Senate 22-14 favored but failed to gain the two-thirds margin necessary to override Governor Weld's veto of a section keeping the real estate deeds excise tax at a higher $4.56 per $1000 of the sale price instead of allowing it to fall back to $2.28 per $1000 as it was scheduled to do June 30. The legislature doubled the tax, paid by people buying homes, for a three year period beginning in 1989. Override supporters claimed this is not a tax increase but simply a retention of the status quo necessary because depressed real estate sales have resulted in a loss of revenues for counties. They said this $30 million is necessary for counties to maintain jails and insure overcrowding does not lead to early release of prisoners. Override opponents said this is another tax increase which makes a temporary tax a permanent one. They said it will hurt taxpayers and damage an already sluggish real estate market. Amorello voted against the tax hike; Moore and Kollios voted for the tax hike.

SEASONAL EMPLOYEES (H 5909) - House 93-54, rejected an amendment allowing seasonal employees to collect benefits only if they leave their job during "the season." Amendment supporters said this will prohibit anyone from knowingly taking and completing a temporary job and then filing for benefits. They said the amendment will save millions of dollars and stop abuse of the system by students and others who take summer jobs and then try to collect. Amendment opponents claimed the amendment would hurt construction workers and others who would be denied benefits. Moore and Kollios voted against the amendment.

CHANGES (H 5909) - House 105-43, rejected a Republican-sponsored amendment making changes in the wage base and schedules. Amendment supporters said this is a less drastic hit on businesses and argued that combined with benefit changes, will make the fund solvent by 1996. Opponents said the amendment raises less money and will lead to continued borrowing. They argued it is not a solution and will not make the fund solvent by 1996. Moore and Kollios voted against the amendment.

SUBSTITUTE)H 5909) - House 92-60, rejected a Republican-sponsored substitute bill repealing the additional increases in the unemployment tax and going back to the old system. Substitute bill supporters said this will stop the estimated average hike from $280 to $362 and simply allow the automatic lower average increase to $333 under the old system. Opponents said the substitute bill does nothing to solve the problem of a $500 million deficit in the unemployment trust fund and noted the state is borrowing some $5 million a day from the federal government to stay solvent. Moore and Kollios voted against the substitute bill.

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Women's Equality Day - Aug. 26

DEADLINE
The deadline for all submissions to the Millbury-Sutton Chronicle is Saturday noon of the week prior to publication. The office is closed on Saturdays, but announcements may be left in the mail box to the right of the side entrance door.

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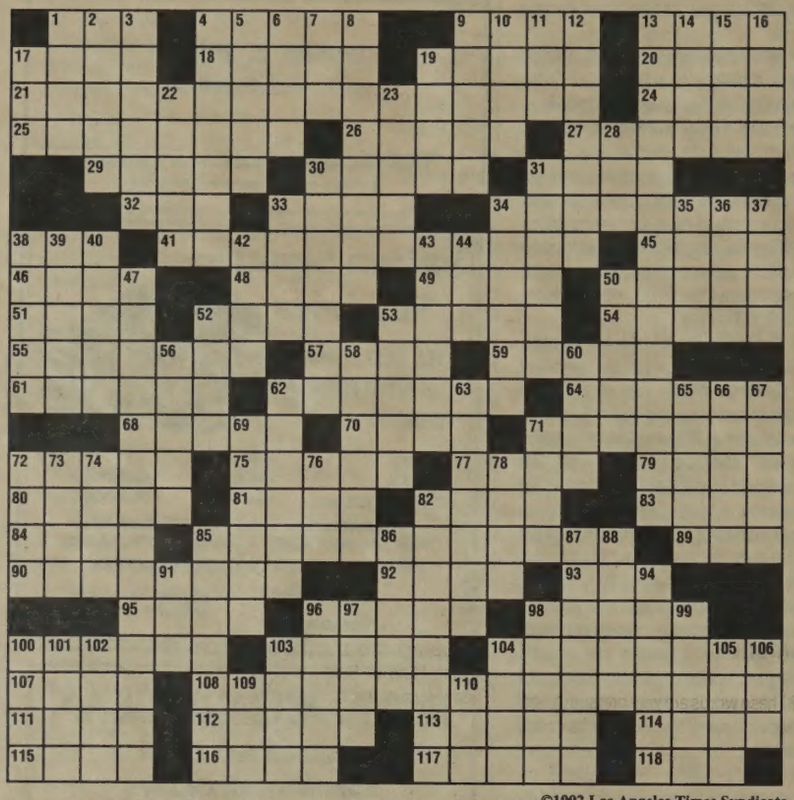

By Shirley Soloway

ACROSS

1 Equality
4 Peach —
9 Bait fish
13 Whip's mark
17 Fleshy fruit
18 "Arsenic and Old Lace" star Jean
19 Fight site
20 Despise
21 Disappointed Hollander's remark?
24 Writer Bombeck
25 Sewer's aid
26 Entertainer Susan
27 Browned by the sun
29 George of "The Owl and the Pussycat"
30 "Seven days —"
31 Purvey
32 Shea star
33 Spoken
34 Red Planet people
38 Medical amts.
41 Bush's Amsterdam statement?
45 Let fall
46 Walensa of Poland
48 Takes off
49 Pianist Peter
50 Donald's ex
51 Jai —
52 Repair with a needle
53 Escalator unit
54 Accuser
55 Individuals
57 Ratio phrase
59 Thai orTibetan
61 Window frames
62 Globetrotters' Holland site?
64 Summary
68 Just like ewe?
70 Boys of Aberdeen
71 Conditionally released prisoner
72 Menu adjective
75 "The Lady with —"
77 New Mexico town
79 Campbell of song
80 Supports
81 "...a — 'clock scholar..."
82 —mell
83 Principal joints
84 Jacob's spouse
85 Hollander 's lottery goal?
89 View
90 Lively numbers
92 Beer ingredient
93 Non-specific list item
95 New Guinea gulf
96 Roof topping
98 Infection type
100 "Valley of the Dolls" author
103 Spanish James
104 Ripeners
107 Math. subject
108 Slogan for Dutch cheese?
111 Isaac's twin
112 Playwright Rice
113 Publish
114 Hds. of state
115 Angela Lansbury role
116 Society gals
117 Supply party food
118 Place of origin suffix

DOWN

1 "Winnie the —"
2 Loves of Luis
3 Cash in
4 Decree
5 Collector's car
6 Lion portrayer
7 Life recap
8 Access spaces
9 Racketeer
10 Cut
11 Before corn or cycle
12 What bakers and baseball need
13 Query about Vincent's departure?
14 Work for
15 Don't look —!
16 Was ahead
17 1.555 grms.
19 Before room or date
22 Anxious
23 Genuflected
28 Patio pest
30 Part of the former USSR
31 Emissions
33 Reputation
34 Thirties' movie star Hopkins
35 Ancient Syria
36 Fifth canonical hour
37 Prepare for a bout
38 Refinement
39 British actress Johnson
40 Peruses
42 Mideast officers
43 Not related
44 Meadow
47 Hollander life style?
50 "...the bombs bursting —..."
52 Ricky of "I Love Lucy"
53 Belt
56 Dungarees
58 Northwest catch
60 Lupino and Cantor
62 Mount St. —
63 Golden girl Getty
65 Miss — of "Dallas"
66 Leaking
67 Uptight
69 Country
71 Casual shirt
72 Party
73 Walter of Hollywood
74 Genuine
76 "...— that"s the way it is"
78 Landed
82 Kind of friendship
85 Mistreated
86 Reflection
87 Nor's companion
88 Prance
91 Revolver
94 King or Lombard
96 Right and left
97 Cordelia's father
98 Unclear
99 Yorkshire city
100 Obstruct
101 — Major
102 Land of King Mongkut
103 — show: pantomime
104 Has to
105 Exotic
106 Aves.
109 Corrida bravo
110 Explorer Johnson

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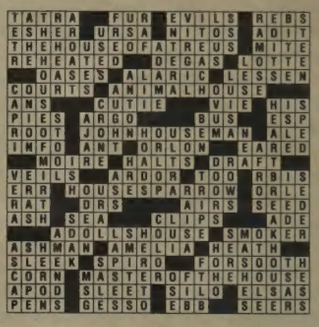
SOLUTION TO LAST WEEK'S PUZZLE



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MILLBURY PUBLIC SCHOOLS has opening for Elementary Chapter I teacher. Must be certified in reading. Approximately ten hours per week. Apply to Dr. Richard Palermo, 12 Martin St., Millbury by August 14, 1992.

Legals Legals

Town of Millbury
Sewerage Department
Bids for New and Unused Dump Truck

Town of Millbury, Mass., Board of Sewer Commissioners, are accepting bids for a new and unused dump truck. Specifications can be obtained at the Millbury Sewerage Department, Municipal Office Building, 127 Elm Street, Millbury, MA. between 9:00 A.M.-12:00 P.M. and 12:30 P.M.-4:00 P.M. Monday through Friday. All bids must be sealed and marked "Truck Bid", and will be received at the above office until August 25, 1992 at 6:30 P.M. at which time they will be opened. The Board of Sewer Commissioners reserves the right to reject any or all bids in the best interest of the Town of Millbury.

Board of Sewer Commissioners
Gary C. Nelson, Chairman
Richard E. Prue, Clerk
George E. Buron, Member
August 6, 1992

LETTERS from Page 2

Long Term Care Unit Must Stay

To the Editor:

Political expediency is about to dismember an integral arm of elder day care human services by relocating the Long Term Care Unit from Worcester to Springfield effective October 1st. We cannot let this happen.

The "experts" say it will be cheaper to consolidate the offices in Springfield and that now is the time to do it because the lease for Worcester's office has expired. This is typical bureaucratic management by appearance. Of course, everyone is cost conscious nowadays. However, closing Worcester's Long Term Care Unit is not the way to do it. Clearly, space could be made available at the Welfare Office on Main Street. If additional space is needed, certainly there is no shortage of commercial space in downtown Worcester.

Worcester is the hub of Massachusetts. Worcester's central location gives it access to the community at large. I urge you to look at the human cost to Worcester and its surrounding communities if this consolidation is not stopped now. People, especially the elders, are not going to drive an hour to Springfield for help. Phones and mail are not the answer. There is no substitute for the personal attention that the Worcester staff provides, especially from such dedicated state employees as Bob Scheer and Paul Meringolo.

If this consolidation is not stopped forthwith, then our Worcester area community will, for all practical purposes, be excluded from these vital services. Our Worcester community is home to an ever increasing number of elders who need support locally. The closing of the Worcester Long Term Care Unit must be stopped now. I urge you to write to the following officials: The Hon. William F. Weld, State House - Room 360, Boston, MA 02133; Mr. David Forsberg, Secretary of Health and Human Services, One Ashburton Place - Room 1009, Boston, MA 02108; Commissioner Joseph Gallant, Department of Public Welfare, 600 Washington Street, Boston, MA 02111; Mr. Bruce Bullen, Director of Medicaid Branch, Department of Public Welfare, 600 Washington Street, Boston, MA 02111.

Atty. Susan B. Nissenbaum
Grafton

Kollios Endorsement

To the Editor:

Honesty, integrity, and dedication would perhaps best describe Representative Paul Kollios, the incumbent and present candidate for the 7th Worcester District.

He has a history in political office that would make anyone proud. I personally find it offensive that Ms. Monica Bauer has chosen to run her campaign with half-truths and in such a negative manner. My main concern is her attack on special education, which is always an easy target. Let's cut funds from Special Education. They're not needed, seems to be her cry. Granted certain reforms in all areas of education are needed, but they need to be implemented by a person who has formerly taught in the Millbury Public School System, served on the School Committee and has tremendous knowledge of the Education Committee in the Legislature.

This person is Paul Kollios, a legislator who has shown that he will make a positive difference in everyone's future.

Melissa Phelan, Millbury
Senior at Boston College majoring in Special Edu cation and Elementary Education

Thank You...

I want to thank all those who sent birthday greetings, flowers, and gifts to celebrate my 100th Birthday. Thanks to all those who were able to attend the wonderful party held in my honor at 21 Millbury Ave., Millbury on June 27, 1992.

In addition, a "Special Thank You" to the following people who presented me with plaques on that special day, honoring my 100 years: Rep. Paul Kollios, Massachusetts House of Representatives; Sen. Matthew Amorello, Massachusetts Senate; and the members of the Church of the Nazarene, Uxbridge, Massachusetts. It was a great honor to receive those gifts.

During the month of June, I also received Greetings from the Canadian Parliament, President Bush, and from Willard Scott, Channel 4 TV Today Show.

I greatly appreciate and thank my family for the effort put forth to make my 100th birthday so special.

Lucy M. Brown

Kollios Endorsement

To The Editor,

Smoke and Mirrors? These words are very pretty, yet that is all that they are. They are purely rhetorical, meant to inflame, to push buttons. Yet it takes more to be the Representative of the 7th Worcester District than a talent for writing mudslinging letters with no true substance.

As an informed voter, I support Paul Kollios for re-election to the above position. His opponent says that special needs education "does not help the student." As a lover of facts and truth, I would like to see how she can support that claim. Very many children need special education and have a constitutional right to it no matter what their financial status may be. The largest group of impoverished people in our nation are children, through no fault of their own. They have a basic right to public education to suit their needs. I can only assume that she wishes to deny this right.

To campaign as she is, solely on attacks, vague references, inflammatory innuendos is a lie to the people, and an insult to our intelligence. Never mind the mirrors, all she has to offer us is smoke. Education is about our future and the molding of intelligent citizens for tomorrow. It is unique, and cannot be run strictly as a business. There must be balance between both philosophies.

I continue to staunchly support Mr. Kollios, as I believe he is the candidate who has this balance which is so crucial to the survival of American society.

Jennifer Buron
Millbury

Disturbed by negative campaign

To the Editor:

We have been very disturbed by the negative campaign of Monica Bauer, Paul Kollios' opponent. Through many hard campaigns, Paul and his opponents debated issues and ideas. They never stooped to name-calling, or questioning each other's integrity. We address the following to Professor Bauer:

Professor Bauer -- Before moving to Massachusetts, you lived in Nebraska and ran for Congress in 1984. Records from the United States Federal Election Commission indicate that you accepted nearly $7,000 from several Political Action Committees in amounts ranging from $25 to $1,500. Without those funds, you wouldn't have been able to spend money on the radio ads, brochures, haircuts, clothes, shoes, parking tickets, car repairs, and other campaign expenses you claimed.

Professor Bauer -- We don't know you well, but do you really believe accepting that money would have obligated you more to those Political Action Committees than to the citizens of Nebraska -- if they elected you?

Integrity, Professor Bauer, resides in each individual and his or her actions. For more than 20 years, Paul Kollios has worked with us -- first as a Millbury selectman, school committeeman and member of the Council on Aging -- then for us as a tireless, effective legislator who puts his constituents first. We know him well -- We know his integrity -- We know his honesty. That's why we support him.

Professor Bauer -- You could learn something about honesty from Paul Kollios. We believe you should have told the truth to the voters of Auburn, Millbury and Oxford about your own PAC fundraising, before casting stones at others.

Gary Nelson
Millbury
This letter was also signed by six other individuals.

Thank You...

On behalf of the Millbury Lioness Club, a big thank you to the people of Millbury, the town merchants, friends, and families for their past year's support.

You have enabled us to have a successful year. We have given more than $6,000 to eye research, diabetes and hearing funds, seven food baskets at Thanksgiving and fourteen at Christmas to the needy, fruit baskets to the elderly, Thanksgiving dinner to the Congregate Housing, contributions to the school department, library, the homeless veterans, sponsored a Millbury student to the All State Band, sponsored a student to the Speech Contests, assisted the Millbury Lions in giving toys to over 150 needy children at Christmas and feeding the volunteers of Elder Affairs.

You generously supported our pancake breakfast, two dances, Tag Day, car wash and flea market so that we can continue to help others in our community.

Thank you to the Millbury Lions for their support and assistance to our continued growth.

Last, but not least, thank you to the chairwomen who worked so hard to assure our successful activities and all club members who volunteered all their time and energy to support their town and brighten someone else's day.

These ladies are reason for all to be proud our town has a Lioness Club. Thank You.

Past President, Pat Wassell, Millbury Lioness Club

Youth Center sponsors 'end of summer weekend'

MILLBURY - The Millbury Youth Center will sponsor an exciting "End of Summer Weekend" for 12-16 year olds Friday, August 28th and Saturday, August 29th.

On August 28th, there will be a dance from 7-10:30. Admission is $3.00 and refreshments will be sold.

On the 29th, a bus will leave the Millbury Youth Center at 2 p.m. for Rocky Point. For more information and to sign-up for the trip, go to the Youth Center Friday or Saturday evenings, 7-10 p.m. Don't miss this opportunity to have a great time with your friends before school starts!

Wilczynski named 'Democrat of the Year'

MILLBURY - Edward Wilczynski has been selected as this year's recipient of the "Leo P. Bachant Democrat of The Year Award" given annually by the Millbury Democratic Town Committee.

According to Bob Brainard, chairman of the Selection Committee, "Ed is most deserving of this recognition because of his extensive service to the town of Millbury on the School Committee, Board of Selectmen, and the Fire Department. As a long member of the Millbury Democratic Town Committee, he exemplified those qualities of Mr. Bachant's promotion of Democratic ideals along with service to the town."

The Millbury Democratic Town Committee will be holding its fourth annual Democrat of the Year banquet at the Charles F. Minney V.F.W. Post on Sunday, October 4, at 6:00 p.m.

Volunteers sought for commuter rail committee

MILLBURY - The Board of Selectmen is soliciting volunteers to serve on a committee to study and report on the impact of a proposal by the MBTA for a commuter rail station and parking lot adjacent to the ConRail line in East Millbury. Anyone interested in serving can contact a member of the Board directly or call the office at 865-4710.

CLASSIFIED RATES

$2.00 for 20 words or less - .10 for each additional word. All ads must be received by SATURDAY of the week prior to publication. Payment must be included with ad.

Mail ad and payment to: MILLBURY-SUTTON CHRONICLE, 117 Elm Street, Millbury, MA 01527. Please be sure to include the date(s) you would like your ad to run.

CLASSIFIEDS ARE NOT TAKEN OVER THE PHONE

SUTTON from Page 1

Spence estimated 35 students.

"I care about the class sizes and how they are at the high school," Roach said. She suggested that in order to service the students at the high school, "we will have to hire teachers to service the students we are servicing now if we get into school choice. We don't have small classes," she said.

Roach asked, "Why would you want a more crowded classroom?" She also referred to Spence's suggestion that the proposal be considered on a trial basis and questioned whether the legislation would allow that.

Spence said there is nothing in writing to the contrary.

Kourey said additional funds can be used to hire a teacher depending on the number of students who come into Sutton under the proposal.

Spence suggested accepting a maximum of five per class at the high school. He noted that because of the short time frame before the opening of this school year, many people will not have had the opportunity to hear about the plan. "I don't think you will be flooded with students coming in between Grades 9-12," he said. He also noted that if the choice plan becomes an aggravation, the Committee could drop it.

Roach questioned whether or not that could be done.

Horne asked Spence for his recommendation.

Spence said that if the Committee believes School Choice can enhance revenues, they should give it strong consideration. He also said that if accepted, it should be on a trial basis.

Roach said it was one year too early to get into school choice.

The committee voted 3-2 to accept school choice limiting the number of incoming students to a maximum of five in each grade 9-12 and a maximum of three per grade K-8 with the administration exercising their judgement on the numbers at the elementary level.

In other matters, appointments and a resignation as recommended by Superintendent Gordon Spence were approved unanimously: Monica Ackerman was appointed to a high school English position; Rod McLeod appointed a J.V. Boy's Soccer Coach; Amy Parker appointed as a bus monitor SPED. The resignation of library clerk Pam Johnson was accepted with regrets and a letter of thanks for her years of service.

Spence also reviewed the FY'92 budget noting that final figures are still up in the air mainly due to the lack of a firm figure on local aid. He did note that Sutton is slated to receive $151,000 from the state. He also pointed out that the Committee, prior to Town meeting, sent the Selectmen its approval of the budget for schools that was lower than the Committee might like but was approved to help balance the town budget. Spence projected a deficit of $240,000 in this budget which he said could be reduced with cuts to leave the deficit to be made up at about $30,000. He also noted that the results of an issue related to bumping rights under the teachers' contract currently under arbitration could possibly increase that deficit unless a teacher is eliminated.

Spence suggested that if the Town has included unemployment insurance in its budget, possibly monies in there could be used to offset the deficit as well. He also said that if the Committee feels it cannot live with this budget then it can look to other alternatives to cut. He said if the Committee wants to consider cuts in staff, according to the Sutton Teachers contract it would have to meet with the teachers first.

Committeewoman Linda Roach said she would like to see the Committee look at other alternatives and, if necessary, seek an override of Proposition 2 1/2. She also said that because the Finance Committee was supportive in prior budget preparation discussions, they should hear from the School Committee first that they may have to make $175,000 in cuts and be left with a $30,000 deficit. "We are not going up in our budget," she said.

Committee member Ann Fox noted that the time for doing something is only two weeks away since the teachers, if affected, have to be informed by August 10th.

Spence suggested that the Committee have another meeting before that date.

CONDO from Page 8

local protection as the second level, Morris said that the evidence indicates "that the local Board of Health relied on the developer's engineer, Lavallee Bros. and didn't totally inspect the septic system. There is no reason to deny our request for an injunction," she said

Kollios Office Hours

MILLBURY - Rep. Paul Kollios will hold office hours on Tuesday, August 11, from 6-7 p.m. in the Selectmen's Office at the Town Hall.

Chicken Barbecue

MILLBURY - The V.F.W. Charles F. Minney post 3329 will hold its annual chicken barbecue on Sunday, August 9, from 1-5 at the post pavilion. Tickets are $5.95; $4.95 for senior citizens. The menu will include chicken, potatoes, corn on the cob, salad, watermelon, hot dogs, hamburgers, and fries. Refreshments will be on sale also. There will be games; entertainment by "Omega Men."

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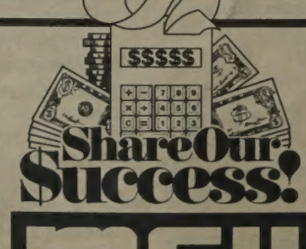

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